

**Town of Milton
Planning and Zoning Commission
Minutes
July 19, 2005**

Members Present:

**Linda Rogers
Herb Dutt**

**Dean Sherman
Eric Evans**

Mike Filicko

Dnney Hughes

Phase 2A, 2B and 3A modification from Chestnut Properties for the placement of propane tanks located in Cannery Village further identified by Sussex County Tax Map and Parcel Number 2-35-20.00 54.00.

Linda Rogers introduced the application and asked if anyone was present to represent the application. Colby Cox from Chestnut Properties stated he was representing the application and with him was members from Poores propane. Mr. Cox proceeded to explain to the Commission that the development was going to be serviced propane for the heating systems in the homes by a central gas system. The permanent tanks will be located on a parcel identified in phase III. The plan is to use the temp tanks for phase II and while the streets are being cut out in phase III. Once the streets are cutout then the temps will be removed and the perm installed. The permanent tank will be located under ground and the temp tanks will be above ground. A representative from Poores stated the area will be fenced and landscaped.

Mike Filiko asked the size of the tanks. The perm tank is 30,000 gal and the temp tanks will be 4 1,000 gal tanks. Colby Cox stated he did not think the temp tanks would be used for much longer than a year in a half to two years. Mike further asked about the safety. Dean Sherman stated that the State Fire Marshal over sees the construction/site plan for these tanks according to NFP58. Also the Public Service Commission reviews and inspects the system, logs and books of the company. Colby also stated one of the reasons we are going this way is so there are not individual tanks located on each lot. A representative from Poores propane state the other reason to do this is so there are not several different propane trucks coming into the development. This reduces any safety problems then. Mike asked how the lines are run. Colby stated they are all run underground. Mike asked if property owners had a choice and Colby stated no. All homes will have propane heat on the first floor and gas water heaters. Mike asked if this 30,000 gal tank going to service the entire community. Colby stated it would. Herb Dutt asked the size of the delivery truck. He was told it would be a 3 axle mini transport but not an 18-wheeler. Dean Sherman asked if there was a concern if a 30,000 gal tank could handle the load and he was told that vaporizers would be installed as needed. Dean Sherman explained what a vaporizer was to the members. Dean asked Colby about the impact of centralized gas and the homes are being built with gas in them. Colby stated each home has to have Gas heat on the first floor and a gas water heater. Dean stated that you as a customer have a choice vice with a utility co. providing gas you don't have a choice. Linda Rogers asked Bob Kerr if he had anything to present. Bob Stated the following:

For the Temp. Site.

1. No fencing or fence detail shown
2. No landscaping shown
3. The location is a SWM water pond site also
4. No setbacks are shown on the preliminary site.
5. Depending on setbacks there may not be enough area of tanks
6. Site does not show where a truck will be located for loading or unloading
7. Is site to be paved, graveled or grass.

For the Permanent Location

1. No fencing or fence detail on plan
2. No landscaping is shown
3. No details for the site are provided. Is site paved, gravel or grass?
4. Identify the squares
5. Where does the truck park to unload?

General

1. Show location of lines with in the streets. Minimum depth of cover and distance from centerline or curb line.
2. The pipeline locations for the next phases should be on the construction drawings.
3. Fire Marshal approval should be received before final approval is given.
4. Final approval should not be given for the permanent site until approval of that phase is given.
5. Consideration should be given as to when deliveries or unloading can occur.
6. Consideration should be given as to the length/time for the temp tanks.
7. As part of the approval it should be stated that the installation is for the use of this subdivision only and no services will be provided outside Cannery Village Subdivision.

Mike asked if the town was to dig and hit a line what would happen. It was explained to him that prior to digging you would call miss utility and the lines would be marked to prevent hitting them. If one was hit they have pressure valves located through out the lines to secure the line if there is a leak. It was also stated the system will be looped so propane service will not be lost to the entire community if there is a break. Colby stated he would provide as builds for the Town showing the lines. Mike asked the depth. He was told the main line is 24" and the service line to the house is 18", which is per code. It was reiterated that the Fire Marshal has to approve the design and layout prior to installation. Eric Evans asked the location of the main line. It was stated the main line would be located between the sidewalk and the house. Bob asked if the main was on both side of the street or is the service ran under the road. It was stated that the mains are run down both sides of the street.

Eric Evans stated that he received a comment from other than this committee that this site should go before Town Council and the Town's Attorney to determine if a franchise tax should be enforced. If this were a gas company providing the town or development exclusive gas there would probably be a franchise tax applied. Since this subdivision is being provided service exclusively by this company the Council may wish to enforce a franchise tax applied to it. It was discussed the alternative to a central tank would be individual tanks. This discussion was dropped and the site plan review continued.

Dean Sherman motioned to grant preliminary approval for phase 2 & 3 and have the developer come back with Fire Marshal approval and address the items of concern from Bob Kerr in regards 1-9 on the temporary site.

Herb Dutt second the motion. All voted in favor.

Mike Filicko asked about the through street from Cannery Village and Heritage Creek. Colby Cox stated he agrees on the need for a through street and he will discuss options with his partners.

Motion to close.